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**DISCLOSURE ADVISORY**

For the person named above, whom the People may call as a witness, please be advised as follows.

1. The New York City Civilian Complaint Review Board (CCRB) has deemed substantiated allegations of Discourtesy-word for Frank Henenlotter: On February 19th, 2019, several police officers stopped and apprehended a man (hereinafter “Mr. Redacted”) who was engaged in an argument with his girlfriend, in Manhattan in the confines of the 25<sup>th</sup> precinct. As they spoke with his girlfriend, Mr. Redacted ran towards the officers. Several officers used force to bring him to the ground. After several minutes an ambulance arrived for Mr. Redacted. Frank Henenlotter was present in the ambulance with Mr. Redacted. In the ambulance, Frank Henenlotter’s body-worn camera footage depicts him assisting EMS personnel in securing Mr. Redacted to a rolling stretcher. Mr. Redacted moves his body and legs. Frank Henenlotter attempts to secure Mr. Redacted legs. At 10:16 minutes, a voice says, “Motherfucker.” At 10:22 minutes, the voice says, “Holy shit.” The CCRB noted that although stressful circumstances can provide an acceptable basis for an officer to use otherwise discourteous language, Frank Henenlotter did not articulate any reason for making the statement, “Motherfucker.” In addition, the CCRB noted that Frank Henenlotter made this statement outside of the context of a lawful command. The CCRB therefore substantiated the allegation for Discourtesy-word for Frank Henenlotter for saying, “Motherfucker.”

Regarding the same incident, Frank Henenlotter identified himself as the speaker of the statement, “Holy shit.” Frank Henenlotter did not provide a basis for making this utterance towards Mr. Redacted. According to the CCRB, the statement, “Holy shit,” was discourteous, did not serve a valid law-enforcement function and was not appended to a lawful command. The CCRB also found that the overall stress of the encounter did not justify its use and that according to the Patrol Guide, police officers are expected to be courteous and respectful. The CCRB therefore substantiated an allegation for Discourtesy-word for Frank Henenlotter for saying “Holy shit.”

Various publicly available websites and databases contain disciplinary information for certain law enforcement officers. Information in such databases about this officer is not necessarily included in this advisory.

Any information herein regarding civil lawsuits against an officer is not necessarily a complete list of civil lawsuits in which that officer is a defendant.

Allegations of misconduct that have not been substantiated and are not pending (including, but not limited to, findings of unsubstantiated, unfounded, and exonerated), and allegations of technical infractions, are not subject to disclosure and are not included in this advisory.

The decision to include information in this advisory does not represent a conclusion by the People that it is required to be disclosed.

The People reserve the right to oppose or move to limit the use of any information included herein or disclosed in the future.

If you have any questions, please contact the Assistant District Attorney assigned to the case on which you are receiving this advisory.

Date: 1/20/21